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On 1-13-04

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas
Edward Masinas

PATENT

Attorney Docket No.: 022128-000200US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re application of: | Examiner: Unassigned |
| MALECKI et al. | Art Unit: Unassigned |
| Application No.: 10/679,245 | SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97 and §1.98 |
| Filed: October 2, 2003 | |
| For: ENERGY BASED DEVICES AND METHODS FOR TREATMENT OF PATENT FORAMEN OVALE | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. A copy of the Foreign reference is enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Scott M. Smith
Reg. No. 48,268

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet 1 of 3

| *Complete if Known* | |
|---|---|
| Application Number | 10/679,245 |
| Filing Date | October 2, 2006 |
| First Named Inventor | MALECKI et al. |
| Art Unit | Unassigned |
| Examiner Name | Unassigned |
| Attorney Docket Number | 022128-000200US |

## U.S. PATENT DOCUMENTS+

| Examiner Initials* | Cite No.[1] | Document Number Number Kind Code[2] (*if known*) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| Examiner Signature | | Date Considered | |
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

| *Complete if Known* | |
|---|---|
| Application Number | 10/679,245 |
| Filing Date | October 2, 2006 |
| First Named Inventor | MALECKI et al. |
| Art Unit | Unassigned |
| Examiner Name | Unassigned |
| Attorney Docket Number | 022128-000200US |

| Examiner Initials* | Cite No.[1] | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T[6] |
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Sheet 3 of 3

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|---|---|
| Application Number | 10/679,245 |
| Filing Date | October 2, 2006 |
| First Named Inventor | MALECKI et al. |
| Art Unit | Unassigned |
| Examiner Name | Unassigned |
| Attorney Docket Number | 022128-000200US |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
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